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			LY, ANH	
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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/027,178	Applicant(s) TURBA ET AL.	
	Examiner Anh Ly	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is response to Applicants' AMENDMENT filed on 10/11/2005.
2. Claims 1-25 are pending in this application.

### ***Claim Objections***

3. Claim 1 is objected to because of the following informalities: In the line 10 of claim 1, "execution of said command language **by said by said** legacy data" should replace with "execution of said command language **by said** legacy data" .

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No.: 6,708,173 B1 issued to Behr et al. (hereinafter Behr).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

With respect to claim 1, Behr teaches in a data processing system including a legacy database management system having a command language coupled to a publicly accessible digital data communication network (fig. 1, with Cool Ice system using MAPPER command language and serving as a world wide web server to world wide web link enabling a user to access using standardized HTML transaction language through Internet or world wide web (digital data communication) link: col. 8, lines 10-36; also col. 3, lines 8-32), the improvement comprising:

a user terminal coupled to said legacy data base management system via said publicly accessible digital data communication network (a user terminal or remote client terminal which generates a service request for access to a database management system consisting of a plurality of variety data sources having a variety of data formats coupled to said user terminal over the Internet network: fig. 1, col. 4, lines 64-67 and col. 5, lines 1-12; also col. 8, lines 10-48);

a service request generated by said user terminal transferred to said legacy data base management system for honoring through execution of said command language by said legacy data base management system thereby producing temporary computational data (transferring request or service request from terminal user over Internet in HTML format into a format from which legacy RDBMS commands and inputs may be generated and HTML table or document storing computational data for later user: fig. 2, col. 4, lines 64-67 and col. 5, lines 1-12, lines 28-58; also col. 14, lines 4-12; also MAPPER command language; col.3, lines 8-32); and

a facility responsively coupled to said legacy data base management system which saves said temporary computational data as a table for later use (HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7).

With respect to claim 2, Behr teaches wherein said facility further comprises a repository (fig. 4, item 80).

With respect to claim 3, Behr teaches wherein said service request further comprises a plurality of sequential text lines of said command language executable by said legacy data base management system (Mapper command language and COOL ICE Script: col. 3, lines 8-32 & col. 6, lines 26-32).

With respect to claim 4, Behr teaches wherein said service request is generated by said user terminal by completing a screen presented by said legacy data base management system (fig. 6, HTML screen).

With respect to claim 5, Behr teaches wherein said screen includes a plurality of sources and a plurality of destinations for said table (fig. 1, Internet terminal 6 and col. 12, lines 10-67 and col. 13, lines 1-25).

With respect to claim 6, Behr teaches a user terminal which generates a service request (a user terminal or remote client terminal which generates a service request for access to a database management system consisting of a plurality of variety data sources having a variety of data formats coupled to said user terminal over the Internet network: fig. 1, col. 4, lines 64-67 and col. 5, lines 1-12; also col. 8, lines 10-48);

a publicly accessible digital data communication network responsively coupled to said user terminal (fig. 1, with Cool Ice system using MAPPER command language and serving as a world wide web server to world wide web link enabling a user to access using standardized HTML transaction language through Internet or world wide web (digital data communication) link: col. 8, lines 10-36; also col. 3, lines 8-32);

a legacy data base management system having an internal format different from XML responsively coupled to said publicly accessible digital data communication network which receives said service request via said publicly accessible digital data communication network which honors said service request by executing an ordered sequence of command language statements producing temporary computational data and a result (fig. 1, with Cool Ice system using MAPPER command language and serving as a world wide web server to world wide web link enabling a user to access using standardized HTML transaction language through Internet or world wide web (digital data communication) link: col. 8, lines 10-36; also col. 3, lines 8-32); and

a facility responsively coupled to said legacy data base management system for storing said temporary computational data within said legacy data base management system as a table for future use (transferring request or service request from terminal user over Internet in HTML format into a format from which legacy RDBMS commands and inputs may be generated and HTML table or document storing computational data for later user: fig. 2, col. 4, lines 64-67 and col. 5, lines 1-12, lines 28-58; also col. 14, lines 4-12; also MAPPER command language; col.3, lines 8-32; and HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7).

With respect to claim 7, Behr teaches publicly accessible digital data communication system further comprises the Internet (Internet network with the Cool Ice system: fig. 1, col. 7, lines 62-67 and col. 8, lines 1-36).

With respect to claim 8, Behr teaches a repository within said data base management system (fig. 4, item 80).

With respect to claim 9, Behr teaches wherein said future use further comprises honoring of a subsequent service request (col. 5, lines 28-67 and col. 11, lines 35-65).

With respect to claim 10, Behr teaches wherein said future use further comprises completion of honoring said service request (col. col. 11, lines 52-65).

With respect to claim 11, Behr teaches a method of Interfacing a user terminal to a legacy data base management system having an incompatible input protocol via a publicly accessible digital data communication network (fig. 1, with Cool Ice system using MAPPER command language and serving as a world wide web server to world

wide web link enabling a user to access using standardized HTML transaction language through Internet or world wide web (digital data communication) link: col. 8, lines 10-36; also col. 3, lines 8-32); comprising:

transferring a service request from said user terminal to said legacy data base management system via said publicly accessible digital data communication network (a user terminal or remote client terminal which generates a service request for access to a database management system consisting of a plurality of variety data sources having a variety of data formats coupled to said user terminal over the Internet network: fig. 1, col. 4, lines 64-67 and col. 5, lines 1-12; also col. 8, lines 10-48);

converting said service request to said incompatible input protocol (transferring request or service request from terminal user over Internet in HTML format into a format from which legacy RDBMS commands and inputs may be generated and HTML table or document storing computational data for later user: fig. 2, col. 4, lines 64-67 and col. 5, lines 1-12, lines 28-58; also col. 14, lines 4-12; also MAPPER command language; col.3, lines 8-32; and HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7);

commencing the honoring of said service request by said legacy data base management system to produce an interim computational state (HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7) and

storing said interim computational state for future use (HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7).

implementing any of the functional systems more efficient. (Wash's col. 2, lines 60-65).

With respect to claim 12, Behr teaches wherein said storing said interim computational state within a repository (fig. 4, item 80).

With respect to claim 13, Behr teaches wherein said storing the step is initiated from a screen (fig. 6, HTML screen)).

With respect to claim 14, Behr teaches wherein said screen provides for selection of destination (col. 12, lines 10-67 and col. 13, lines 1-25).

With respect to claim 15, Behr teaches wherein said publicly accessible digital data communication network further comprises the Internet (fig. 1, Cool Ice system and col. 8, lines 10-36).

With respect to claim 16, Behr teaches means for generating a service request (col. 11, lines 52-65);

transferring means responsively coupled to said generating means for transferring said service request via a publicly accessible digital data communication network (a user terminal or remote client terminal which generates a service request for access to a database management system consisting of a plurality of variety data sources having a variety of data formats coupled to said user terminal over the Internet network: fig. 1, col. 4, lines 64-67 and col. 5, lines 1-12; also col. 8, lines 10-48);

providing means responsively coupled to said transferring means for providing legacy data base management functions to honor said service request and producing temporary computational data (transferring request or service request from terminal user over Internet in HTML format into a format from which legacy RDBMS commands and inputs may be generated and HTML table or document storing computational data for later user: fig. 2, col. 4, lines 64-67 and col. 5, lines 1-12, lines 28-58; also col. 14, lines 4-12; also MAPPER command language; col.3, lines 8-32; and HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7);

converting means responsively coupled to said providing means for converting said service request into a compatible with said providing means (transferring request or service request from terminal user over Internet in HTML format into a format from which legacy RDBMS commands and inputs may be generated and HTML table or document storing computational data for later user: fig. 2, col. 4, lines 64-67 and col. 5, lines 1-12, lines 28-58; also col. 14, lines 4-12; also MAPPER command language; col.3, lines 8-32; and HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7); and

storing means responsively coupled to said providing means for storing for future use said temporary computational data generated by said providing means in honoring said service request (HTML document: col. 14, lines 4-12).

With respect to claim 17, Behr teaches wherein said storing means further comprises a repository (fig. 4, item 80).

With respect to claim 18, Behr teaches wherein said converting means further comprises means for defining a format of said service request (col. 5, lines 5-12, col. 12, lines 45-56 and col. 13, lines 18-25).

With respect to claim 19, Behr teaches wherein said transmitting means further comprises the Internet (Internet network: col. 8, lines 10-36).

With respect to claim 20, Behr teaches wherein said storing means stores said computational state for future user (HTML document: col. 14, lines 4-12).

With respect to claim 21, Behr teaches a user terminal, which generates said service request in accordance with a first protocol (Internet terminal connecting to Cool Ice System as shown in fig. 1);

a publicly accessible digital data communication network responsively coupled to said user terminal (see fig. 1: Internet network);

a legacy data base management system which honors said service request by executing a sequence of command language script in accordance with a second protocol responsively coupled to said user terminal via said publicly accessible digital data communication network which receives said service request via said publicly accessible digital data communication network (fig. 1, with Cool Ice system using MAPPER command language and serving as a world wide web server to world wide web link enabling a user to access using standardized HTML transaction language through Internet or world wide web (digital data communication) link: col. 8, lines 10-36; also col. 3, lines 8-32);

a converter responsively coupled to said legacy data base management system which converts said (col. 5, lines 5-12, col. 12, lines 45-56 and col. 13, lines 18-25); and

a facility responsively coupled to said legacy data base management system for storing the computational state of said legacy data base management system as a table for future use during execution of said sequence of command language script (transferring request or service request from terminal user over Internet in HTML format into a format from which legacy RDBMS commands and inputs may be generated and HTML table or document storing computational data for later user: fig. 2, col. 4, lines 64-67 and col. 5, lines 1-12, lines 28-58; also col. 14, lines 4-12; also MAPPER command language; col.3, lines 8-32; HTML document is temporary computational data for later user: col. 14, lines 4-12; also col. 13, lines 26-67; figs. 2 & 7).

With respect to claim 22, Behr teaches wherein said facility further comprises a repository within said data base management system (fig. 4, item 80).

With respect to claim 23, Behr teaches wherein said publicly accessible digital data communication system further comprises the Internet (see figs. 1, col. 8, lines 10-36).

With respect to claim 24, Behr teaches wherein said future use further comprises honoring of a subsequent service request (col. 11, lines 52-65).

With respect to claim 25, Behr teaches wherein said future use further comprises completion of honoring said service request (HTML document: col. 14, lines 5-12).

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**Contact Information**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: [ANH.LY@USPTO.GOV](mailto:ANH.LY@USPTO.GOV) or fax to **(571) 273-4039 (Examiner's Fax Number)**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY  
JAN. 4<sup>th</sup>, 2006

